IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

Writ Petition No. 863 (SS) of 2007

Dipti Dewari,
W/o Sri Raghubar Singh Dewari,
R/o Rautela Bhawan,
Purvi Pokharkhali, Almora,
Presently posted as Assistant Teacher,
Primary School, Barechhina,
District-Almora. **…… Petitioner.**

Versus

1. State of Uttarakhand through Secretary, Education, Almora.
2. Director, Education, State of Uttarakhand, Dehradun.
3. Deputy District Education Officer (Basic), Almora.

……Respondents.

Hon'ble M.M. Ghildiyal, J

Heard Sri Amish Tiwari, learned counsel for the petitioner and learned Brief Holder for State of Uttarakhand on behalf of respondents.

By means of this writ petition, the petitioner has challenged the transfer order dated 11.06.2007 passed by Additional District Education Officer (Basic), Almora by which petitioner has been transferred from Primary School, Barechhina, Block - Bhaisiyachhana, to Primary School, Chhana Jamrari, Block - Bhaisiyachhana on the ground of "teachers above than standard".

Learned counsel for the petitioner has submitted that by the impugned order petitioner has again been transferred to remote area though she had already completed her tenure of remote area and she is suffering from diabetes and acute appendicitis.

In this regard, petitioner has already moved representation dated 09.07.2007 before Additional District Education Officer (Basic) Almora for redressal of her grievances (Annexure no. 5 to the writ petition) and the same is still pending.

In these circumstances, I deem it fit and proper to direct the Additional District Education Officer (Basic) Almora to take decision on the aforesaid representation of the petitioner dated 09.07.2007 within a period of one week from the date of production of certified copy of this order.

Petitioner is also directed to submit the certified copy of this order before Additional District Education Officer (Basic) Almora, within a period of ten days from today. Till the representation is decided by Additional District Education Officer (Basic), Almora or till 31st July 2007, whichever is earlier, the impugned order dated 11.06.2007 passed by the Additional District Education Officer (Basic), Almora, so far as it relates to the petitioner, shall not be given effect to.

With this direction, the writ petition as well as stay application stands disposed of. No order as to costs.

(M.M. Ghildiyal, J)

July 12, 2007
SKS